

INTERNATIONAL

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BALTIMORE (UPI)--A FEDERAL COURT JUDGE FRIDAY DEFERRED UNTIL AUGUST FURTHER ACTION IN A \$110,000 SLANDER SUIT FILED AGAINST AN ADMITTED AGENT OF THE CENTRAL INTELLIGENCE AGENCY (CIA) WHO SPREAD A STORY THAT ANOTHER MAN WAS A "SOVIET INTELLIGENCE OPERATIVE."

CHIEF JUDGE ROSZEL THOMSEN GAVE THE LAWYERS FOR JURI RAUS, 39, OF HYATTSVILLE, MD., THE CIA MAN, UNTIL MAY 23 TO FILE A BRIEF ON THE "SCOPE OF PERMISSIVE ACTIVITIES" OF THE CIA IN THE UNITED STATES.

THOMSEN GAVE ATTORNEYS FOR ESTONIAN-BORN CANADIAN EERIK HEINE, 46, WHO FILED THE SUIT, UNTIL JUNE 23 TO STATE THEIR POSITION ON THE BRIEF. THE JUDGE SET THE LAST WEEK IN AUGUST TO DECIDE WHAT FURTHER ACTION SHOULD BE TAKEN.

THE "PERMISSIVE" ACTIVITIES REFERRED TO INVOLVED WHAT CIA AGENTS COULD DO IN THE UNITED STATES WITHOUT BEING LIABLE TO COURT ACTION FOR FEAR OF JEOPARDIZING NATIONAL SECURITY. GOVERNMENT REPRESENTATIVES REFUSED DURING THE HEARING TO SAY ANY MORE THAN THAT RAUS WAS EMPLOYED BY THE CIA AND THAT HE HAD BEEN DIRECTED BY THE CIA TO SPREAD A STORY THAT HEINE WAS A DOUBLE AGENT FOR THE RUSSIANS.

BOTH HEINE AND RAUS ARE MEMBERS OF ESTONIAN ORGANIZATIONS IN THE U. S. THE ORGANIZATIONS ARE WORKING TO FREE ESTONIA FROM COMMUNIST RULE.

HEINE CLAIMED RAUS TRIED TO RUIN HIS REPUTATION BY PUBLICLY LABELING HIM A SOVIET AGENT. A CIA AFFIDAVIT SAID RAUS WAS ORDERED TO SPREAD THE STORY ABOUT HEINE "TO PROTECT THE INTEGRITY OF THE AGENCY'S (CIA) FOREIGN INTELLIGENCE SOURCES."

IN ANSWERING THE SUIT, RAUS CLAIMED HE COULD NOT BE SUED FOR PERFORMING HIS DUTIES WITH THE GOVERNMENT. RAUS IS EMPLOYED AS AN ENGINEER WITH THE U. S. BUREAU OF PUBLIC ROADS. TESTIMONY INDICATED HE WAS CALLED UPON "FROM TIME TO TIME" TO WORK FOR THE INTELLIGENCE AGENCY.

RAUS IS UNDER ORDERS FROM THE CIA NOT TO ANSWER ANY QUESTIONS ON GROUNDS HIS ANSWERS MIGHT ENDANGER NATIONAL SECURITY.

A KEY POINT IN THE CASE IS WHETHER RAUS WAS "EMPLOYED" BY THE CIA AND THUS ENTITLED TO IMMUNITY FROM QUESTIONS AND COURT ACTION.

THE CIA CLAIMED RAUS WAS "EMPLOYED" BY IT BUT REFUSED TO SAY WHAT, HOW OR BY WHOM HE WAS PAID. LAWYERS FOR HEINE SUGGESTED RAUS MIGHT HAVE BEEN A "VOLUNTEER" AND NOT ENTITLED TO IMMUNITY.

THE NEXT MOVE AFTER THE BRIEFS ARE FILED COULD BE A TRIAL TO DECIDE THE "PRIVILEGE" ISSUE--WHETHER RAUS HAS THE RIGHT TO REMAIN SILENT ABOUT HIS EMPLOYMENT. LAWYERS FOR HEINE CLAIM THE "PRIVILEGE" PREVENTS THEM FROM PRESENTING THEIR CASE FULLY.

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